

86th Legislative Session – 2011

Committee: House Judiciary

Wednesday, February 16, 2011

P - Present
E - Excused
A - Absent

Roll Call

P Abdallah
P Boomgarden
P Feinstein
P Gibson
P Hansen (Jon)
P Killer
P Kopp
P Nelson (Stace)
P Russell
P Tornow
P Turbiville
P Gosch, Vice-Chair
P Hunt, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Chair Hunt.

MOTION: TO APPROVE THE MINUTES OF FEBRUARY 14, 2011

Moved by: Turbiville
Second by: Gosch
Action: Prevailed by voice vote.

HB 1079: repeal certain provisions related to the purchase of firearms by out-of-state residents.

Presented by: Representative Brian Gosch
Proponents: Darin Goens, National Rifle Association

MOTION: DO PASS HB 1079

Moved by: Abdallah
Second by: Tornow
Action: Prevailed by roll call vote. (13-0-0-0)

Voting Yes: Abdallah, Boomgarden, Feinstein, Gibson, Hansen (Jon), Killer, Kopp, Nelson (Stace), Russell, Tornow, Turbiville, Gosch, Hunt

HB 1255: provide for the award of joint physical custody of children under certain circumstances.

Presented by: Representative Melissa Magstadt
Proponents: Ben Geary, Rapid City, self
Senator Dan Lederman
Joel Arends, Children Need Parents
Tom English, Hurley, self (via telephone)
Opponents: Tom Barnett, State Bar Association of South Dakota
Dianna Miller, SD Network Against Family Violence & Sexual Assault

MOTION: AMEND HB 1255

1255ra

On page 2 of the printed bill, delete lines 5 to 23, inclusive.

Moved by: Gosch
Second by: Russell
Action: Prevailed by voice vote.

MOTION: DEFER HB 1255 TO THE 41ST LEGISLATIVE DAY

Moved by: Turbiville
Second by: Feinstein
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION DO PASS HB 1255 AS AMENDED

Moved by: Russell
Second by: Nelson (Stace)
Action: Prevailed by roll call vote. (8-5-0-0)

Voting Yes: Boomgarden, Hansen (Jon), Kopp, Nelson (Stace), Russell, Tornow, Gosch, Hunt

Voting No: Abdallah, Feinstein, Gibson, Killer, Turbiville

HB 1219: extend certain protections against precipitous eviction to certain long-term tenants at will.

Presented by: Representative Patricia Stricherz

Opponents: Dean Krogman, SD Association of Realtors

MOTION: DEFER HB 1219 UNTIL FEBRUARY 17, 2011

Moved by: Gosch

Second by: Turbiville

Action: Prevailed by voice vote.

HB 1237: provide for an individual mandate to adult citizens to provide for the self defense of themselves and others.

Presented by: Representative Hal Wick

MOTION: TO TABLE HB 1237

Moved by: Turbiville

Second by: Gibson

Action: Prevailed by roll call vote. (12-1-0-0)

Voting Yes: Abdallah, Boomgarden, Feinstein, Gibson, Hansen (Jon), Killer, Kopp, Russell, Tornow, Turbiville, Gosch, Hunt

Voting No: Nelson (Stace)

The Chair recessed the committee meeting until February 17, 2011.

Cindy Tryon
Committee Secretary

Roger W. Hunt, Chair